



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION NO. 3571 OF 2025 AND
MISC. CIVIL APPLICATION ST.NO. 22568 OF 2025 IN
FIRST APPEAL NO.285 OF 2015

United India Insurance Company

..vs..

Suraj Prakash Puru and ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Pratik Jain, Advocate h/f Shri M.R. Joharapurkar, Advocate for
the appellant.

Ms. Shreya Bhagat, Advocate h/f Shri P.R. Agrawal, Advocate for
respondent no.1.

CORAM: PRAVIN S. PATIL, J.

DATED : 01/10/2025.

Heard.

2. By these applications, the applicant is seeking condonation of 3536 days delay and restoration of appeal which was dismissed against respondent nos. 2 and 3 for want of prosecution by order dated 24.03.2015.

3. It is stated by the appellant that the present appeal with First Appeal No.344/2017 was listed together. In both appeals, owner of the vehicle is same. In first appeal no.343/17 the owner is represented by the Counsel. As such, under *bona fide* impression that the owner also appearing in the present matter, necessary steps were not taken by the appellant to serve him, in the present matter.

4. In paragraph 6 of the application, it is specifically stated that when both the appeals were listed before this Court on 16.12.2020, this fact came to the knowledge of the appellant. The averment made in the application are not controverted. Furthermore, the owner

of the vehicle is already appearing in the appeal No.343/2017 arising out of the same accident.

5. Hence, for the reasons stated in the applications, the applications are allowed. Delay stands condoned. The appeal is restore against the respondent nos.2 and 3.

6. Counsel for the appellant after restoration of the appeal to take appropriate steps to serve respondent nos. 2 and 3 within a period of four weeks. Failure to which, this Court will pass appropriate order in the matter.

(PRAVIN S. PATIL, J.)

Trupti